

REMARKS

In the Final Office Action mailed August 15, 2008 ("Final Office Action"), the Examiner rejected claims 1, 6, 8-9, 11-12, 14, and 18-20 under 35 U.S.C. § 103(a) as unpatentable over WO 01/88703 A1 to Hatcher, Clark et al. (Clark) in view of U.S. Patent Publication No. 2004/0205707 to Kothari; and rejected claims 7 and 16 under 35 U.S.C. § 103(a) as unpatentable over Clark and Kothari in view of U.S. Patent No. 7,000,182 to Iremonger et al. (Iremonger).

By this amendment, Applicants amend claims 1, 14, 15, and 18 to more clearly define the features of those claims. Applicants submit that the amendments to claims 1, 14, 15, and 18 do not introduce new matter and are supported by the specification (see, e.g., page 2, lines 14-19 and page 5, lines 20-28.)

Claims 1 and 4-20 are currently pending.

REJECTION OF CLAIMS 1, 6, 8-9, 11-12, 14, AND 18-20

The Examiner rejected claims 1, 6, 8-9, 11-12, 14, and 18-20 under 35 U.S.C. § 103(a) as unpatentable over Clark in view of Kothari. Applicants respectfully traverse this rejection.

Amended claim 1 recites a combination of features including, among other things, "extracting, using a filter, at least one user-changeable code portion from the existing informational display by placing the at least one user-changeable code portion in a file, wherein at least one input field is bound, using an XPATH statement, to the extracted code portion, the filter recognizing the at least one user-changeable code portion from another code portion corresponding to a feature of the layout not changeable by the user, the file isolating the at least one user-changeable code portion from the other portion which is not changeable by the user, the user-changeable code portion corresponding to at least one feature of the layout configured to allow changes by the user." At page 4, of the Final Office Action, the Examiner acknowledges that Clark fails to disclose the above-noted "extracting" feature.

To cure the above-noted gap in Clark, the Examiner relies on Kothari. In contrast to claim 1, Kothari discloses an Integrated Development Environment (IDE), which separates code from content. Specifically, Kothari states:

[0046] Logical Separation of Code and Content

[0047] The foregoing examples have been provided with specific reference to developing customized code in an IDE, it will be appreciated, however, that the programs developed by an IDE can also include code and content. ***The term "code," as used herein, generally refers to actual source code of a programming language such as C++, C#, Visual Basic, etc. The term "content," as used herein, generally refers to the visual aspects and mark-ups of a program.*** Code is traditionally developed by a programmer, whereas content is traditionally developed by a designer. An example of content includes the layout and graphics of a web page.

[0048] The development of programs containing both code and content traditionally includes collaboration between programmers and designers using different development tools to develop their corresponding portions of the program. To facilitate the development of the disparate portions of a complex program, therefore, it would be useful to separate the code and content to enable each portion to be developed and edited independently by the appropriate group of developers (programmers or designers) with the appropriate development tools. However, existing IDEs are not currently configured to separate the code and content of a program in a logical manner to enable this type of discrete program development. To overcome some of the foregoing limitations in the art, the present invention provides methods for displaying and editing a program containing both code and content in logically separate states.

Kothari, paragraphs 0046-0048. Emphasis added. However, Kothari describes separating content, which, according to Kothari, refers to "visual aspects and mark-ups of a program," and code, which, according to Kothari, refers to "actual source code." But nowhere does Kothari disclose or suggest separating different types of content, much less "extracting, using a filter, at least one user-changeable code portion from the existing informational display by placing the at least one user-changeable code portion in a file, wherein at least one input field is bound using an XPATH statement to the extracted code portion, *the filter recognizing the at least one user-changeable code portion from another code portion corresponding to a feature of the layout not changeable by the user*, the file isolating the at least one user-changeable code portion from the

other portion which is not changeable by the user, *the user-changeable code portion corresponding to at least one feature of the layout configured to allow changes by the user,*" as recited in claim 1. Emphasis added.

At page 4 of the Final Office Action, the Examiner alleges that Kothari's "directive parser," constitutes the "filter" recited in claim 1. However, Kothari's "directive parser" merely extracts code, and, as such, fails to disclose or suggest a filter with the above-noted features, i.e., "extracting, using a filter, at least one user-changeable code portion from the existing informational display by placing the at least one user-changeable code portion in a file, wherein at least one input field is bound, using an XPATH statement, to the extracted code portion, the filter recognizing the at least one user-changeable code portion from another code portion corresponding to a feature of the layout not changeable by the user, the file isolating the at least one user-changeable code portion from the other portion which is not changeable by the user, the user-changeable code portion corresponding to at least one feature of the layout configured to allow changes by the user."

Moreover, the Examiner alleges that Kothari's "code" or "content" constitute "the user-changeable code portions." To support that allegation, the Examiner relies on the code 650 and content 660 illustrated in Kothari's FIG. 6 and paragraphs 0047 (see above) and 0053. However, there is no mention in Kothari of whether the content (or the code) for that matter corresponds to at least one feature of the layout configured to allow changes by the user."

Kothari's paragraph 0053 state the following:

[0053] In the present embodiment, the IDE 600 also includes a display menu bar 630 identifying the various views in which a program can be displayed. As indicated, the "All" option is currently selected, thereby designating that the programming window 610 shall display both the code and content of the program. Accordingly, all of the program segments 650 and 660, which respectively correspond with the code and content portions of the program, are currently displayed within the programming window 610 .

Kothari, paragraph 0053. At best, Kothari's merely describes viewing code rather than the above-noted features of "extracting" recited in claim 1.

Moreover, contrary to the Examiner's allegation on page 5 of the Final Office Action, Applicants reviewed the portions of Kothari relied upon by the Examiner and find no disclosure or suggestion in Kothari regarding the following feature of claim 1: "extracting, using a filter, at least one user-changeable code portion from the existing informational display by placing the at least one user-changeable code portion in a file, wherein at least one input field is bound, using an XPATH statement, to the extracted code portion"

In view of the foregoing, neither Clark nor Kothari, whether taken alone or in combination, discloses or suggests at least the following feature of claim 1: "extracting, using a filter, at least one user-changeable code portion from the existing informational display by placing the at least one user-changeable code portion in a file, wherein at least one input field is bound, using an XPATH statement, to the extracted code portion, the filter recognizing the at least one user-changeable code portion from another code portion corresponding to a feature of the layout not changeable by the user, the file isolating the at least one user-changeable code portion from the other portion which is not changeable by the user, the user-changeable code portion corresponding to at least one feature of the layout configured to allow changes by the user." Therefore, the rejection under 35 U.S.C. § 103(a) of claim 1 and claims 6, 8, 9, 11, and 12, at least by reason of their dependency from independent claim 1, should be withdrawn.

Independent claims 14, 15, and 18, although of different scope, include features similar to those noted above for claim 1. For at least the reasons given above with respect to claim 1, the rejection under 35 U.S.C § 103(a) of independent claims 14, 15, and 18, and claims 19-20, at least by reason of their dependency from corresponding independent claim 18, should be withdrawn.

REJECTION OF CLAIMS 7 AND 16

The Examiner rejected claims 7 and 16 under 35 U.S.C. § 103(a) as unpatentable over Clark and Kothari in view of U.S. Patent No. 7,000,182 to Iremonger. Applicants respectfully traverse this rejection.

Claim 7 depends from independent claim 1 and includes all the features recited therein including, among other things, "extracting, using a filter, at least one user-changeable code portion from the existing informational display by placing the at least one user-changeable code portion in a file, wherein at least one input field is bound, using an XPATH statement, to the extracted code portion, the filter recognizing the at least one user-changeable code portion from another code portion corresponding to a feature of the layout not changeable by the user, the file isolating the at least one user-changeable code portion from the other portion which is not changeable by the user, the user-changeable code portion corresponding to at least one feature of the layout configured to allow changes by the user." For at least the reasons given above with respect to claim 1, neither Clark nor Kothari discloses or suggests this noted feature. Moreover, the although Iremonger discloses layout creation, Iremonger fails to cure the noted deficiencies of Clark and Kothari. Moreover, the Examiner does not allege that Iremonger cures the above-noted deficiencies. Claim 7 is thus allowable over Clark, Kothari, and Iremonger, whether taken alone or in combination, and thus the rejection of claim 7 under 35 U.S.C. § 103(a) should be withdrawn.

Claim 16, although of different scope, includes features similar to those noted above with respect to claim 7. For at least the reasons given above with respect to claim 7, claim 16 is allowable over Clark, Kothari, and Iremonger, whether taken alone or in combination, and thus the rejection of claim 16 under 35 U.S.C. § 103(a) should be withdrawn.

CONCLUSION

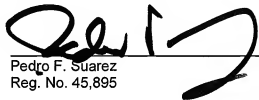
Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner. Applicants submit that the proposed amendments do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner. Therefore, this Amendment should allow for immediate action by the Examiner. Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner continue to dispute the patentability of the pending claims.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

On the basis of the foregoing amendments, Applicants respectfully submit that the pending claims are in condition for allowance. If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below. No fee is believed to be due, however, the Commissioner is hereby authorized to charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No.: 34874-095/2004P00159US

Respectfully submitted,

Date: 15 October 2008


Pedro F. Suarez
Reg. No. 45,895

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
3580 Carmel Mountain Road, Suite 300
San Diego, CA 92130
Customer No. 64280
Tel.: 858/314-1540
Fax: 858/314-1501